

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SONYA LARSON,
Plaintiff

V.

DAWN DORLAND PERRY,
COHEN BUSINESS LAW GROUP, PC and
JEFFREY A. COHEN, ESQUIRE,
Defendants

C.A. No.: 1:19-CV-10203-IT

**DEFENDANTS COHEN BUSINESS LAW GROUP, PC AND JEFFREY A. COHEN,
ESQ.'S MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendants Cohen Business Law Group, PC, and Jeffrey A. Cohen, Esq. (“Attorney Cohen”) (collectively, the “Firm”) move for judgment on the pleadings, pursuant to Fed. R. Civ. P. 12(c), on Counts III, IV, V, and, VI of the Plaintiff, Sonya Larson’s (“Larson”) Amended Complaint.

As grounds, the Firm states that Larson has failed to show in her Complaint that she is entitled to relief on Counts III and IV for Interference with the BBF contract. This Court has already determined that the BBF contract was not breached. Furthermore, Larson's claims against the Firm for violation of M.G.L. c. 93A (Counts V and VI) fail to state a plausible claim, as a matter of law. In order for a non-client to successfully assert a claim against an attorney under G.L. c. 93A, the attorney must have been acting in a business context vis-à-vis the plaintiff. Larson has made no such allegation. The facts as alleged pertain solely to the Firm's assertion of a legal position on behalf of a client, and do not involve a marketplace transaction. As such, Larson's allegations are insufficient to state a claim for violation of M.G.L. c. 93A.

Accordingly, the Firm respectfully requests that the Court enter judgment on the pleadings,

pursuant to Fed. R. Civ. P. 12(c), and DISMISS Counts III, IV, V, and VI of Larson's Amended Complaint. The Firm has submitted a Memorandum of Law in Support of this motion.

REQUEST FOR ORAL ARGUMENT

In accordance with Local Rule 7.1(d), counsel for the Defendants, Cohen Business Law Group, P.C. and Jeffrey A. Cohen, Esquire, hereby requests a hearing for oral argument in connection with this motion.

THE DEFENDANTS,
COHEN BUSINESS LAW GROUP, PC,
AND JEFFREY A. COHEN, ESQUIRE,
BY THEIR ATTORNEYS,

/s/ Matthew H. Greene

DATED: July 1, 2020

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L.R. 7.1(a)(2) CERTIFICATION

I, Matthew H. Greene, certify that I conferred with Plaintiff's counsel pursuant to Local Rule 7.1(a)(2), and have attempted in good faith to resolve or narrow the issue.

/s/ Matthew H. Greene

DATED: July 1, 2020

Counsel for Defendants, Cohen Business Law

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 1st day of July, 2020.

/s/ Matthew H. Greene, Esq. (BBO# 673947)
Counsel for Defendants, Cohen Business Law Group, PC and
Jeffrey A. Cohen, Esquire